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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/770,248	01/29/2001	Osamu Iwasaki	35.C15064	6831

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NEW YORK, NY 10112

EXAMINER

PHAM, THIERRY L

ART UNIT	PAPER NUMBER
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2624

DATE MAILED: 08/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/770,248

Applicant(s)

IWASAKI, OSAMU

Examiner

Thierry L Pham

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>4-5</u> . | 6) <input type="checkbox"/> Other: ____.  |

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## **DETAILED ACTION**

### ***Oath/Declaration***

1. Responsive to Missing Declaration has been received/acknowledged and entered as paper no. 3.

### ***Specification***

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

### ***Drawings***

3. Figure 2 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawing sheets are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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5. Claims 1-14 are rejected under 35 U.S.C. 102(e) as being anticipated by Wiegler (U.S. 6711677).

Regarding claim 1, Wiegler discloses an image processing apparatus (personal computer, figs. 1-2), comprising:

- (1) first transfer means for generating a print ID corresponding to an input image data (personal computer generates "session key" and encrypts it with print data, fig. 3a, abstract and cols. 3-4) on which a forgery preventing (prevent/secure printings, abstract) process has been performed, and transferring (transferring "session key" to printer via communication network, fig. 2, cols. 3-4) the print ID to an image data recording device;
- (2) print control data generating means (personal computer encrypts the image data and "session identifier" as a "print job", figs. 3-6, cols. 3-4) for encrypting the image data using a common key ("session identifier" generates by printer, figs. 3-5, cols. 3-4) transmitted from said image data recording device, representing the data as a print control command, and generating print control data; and
- (3) second transfer means (communication means via network, figs. 3-6) for transferring the print control data and the print ID to said image data recording device.

Regarding claim 2, Wiegler further discloses an image processing apparatus, comprising:

- (1) image process means (personal computer, figs. 1-2) for performing an image process including a forgery preventing process on input image data;
- (2) print ID generating means (personal computer generates "session key" and encrypted with print data, fig. 3a, abstract and cols. 3-4) for generating a print ID corresponding to the image data on which said image process means has performed the forgery preventing process;
- (3) first transfer means (transferring "session key" to printer via communication network, fig. 2, cols. 3-4) for transferring the print ID generated by said print ID generating means to an image data recording device;
- (3) encryption means (personal computer encrypts the image data and "session identifier" as a "print job", figs. 3-6, cols. 3-4) for encrypting the image data on which said image process means has performed a predetermined process using a common key transmitted from said image data recording device;

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- (4) print control data generating means (personal computer encrypts the image data and “session identifier” as a “print job”, figs. 3-6, cols. 3-4) for generating print control data by converting the print image data encrypted by said encryption means into a print control command; and
- (5) second transfer means (communication means, figs. 3-6) for transferring the print control data generated by said print control data generating means and the print ID generated by said print ID generating means to said image data recording device.

Regarding claim 3, Wiegler further discloses the apparatus according to claim 2, wherein said encryption means performs an encryption process using a conversion table (table, fig. 8, col. 4, lines 1-20) generated using the common key.

Regarding claim 4, Wiegler further discloses an image data recording device (printer, fig. 2), comprising:

- (1) common key generating means (“session identifier” generating means, fig. 3-6) for generating a common key based on a print ID transferred from an image data processing device;
- (2) management means(session identifier table, fig. 8, col. 4, lines 1-20) for managing the common key generated by said common key generating means and the print ID transferred from said image data processing device;
- (3) common key issue means (session identifier issuing means, cols. 3-4) for transmitting the common key generated by said common key generating means to said image data processing device;
- (4) common key obtaining means (session identifier obtaining means, cols. 3-4) for obtaining the common key corresponding to the print ID from said management means when the print ID and print control data are transmitted from said image data processing device;
- (5) analyzing means (comparison/analyzing means, fig. 5b, cols. 5-6) for extracting encrypted print image data by analyzing a command of the print control data using the common key obtained by said common key obtaining means;
- (6) decryption means (decryption means, fig. 3-6, cols. 5-6) for decrypting the print image data extracted by said analyzing means using the common key obtained by said common key obtaining means; and

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(7) print means (printer, fig. 2, abstract and col. 2, lines 30-55) for recording the print image data decrypted by said decryption means in a recording medium.

Regarding claim 5, Wiegler further discloses the apparatus according to claim 4, wherein said common key generating means generates the common key without regularity independent (col. 2, lines 29-54) of a value of the print ID.

Regarding claim 6, Wiegler further discloses the apparatus according to claim 4, wherein said decryption means performs a decryption process using a conversion table (table, fig. 8, col. 4, lines 1-20) generated using the common key.

Regarding claims 7-14 recite limitations that are similar and in the same scope of invention as to those in claims 1-6 and/or combination thereof; therefore, claims 7-14 are rejected for the same rejection rationale/basis as described in claims 1-6.

### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

(1) U.S. 5633932 to Davis et al, teach a method/apparatus for encrypting/decrypting print data ID.

(2) U.S. 5574789 to Nakmuara et al, teach a method/apparatus for encrypting/decrypting print data using an image forming apparatus.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thierry L Pham whose telephone number is (703) 305-1897. The examiner can normally be reached on M-F (9:30 AM - 6:00 PM).


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K Moore can be reached on (703)308-7452. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thierry L. Pham

TP

  
GABRIEL GARCIA  
PRIMARY EXAMINER